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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/718,642

11/24/2003

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YOR920030362US1

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07/01/2010

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EXAMINER

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ART UNIT

PAPER NUMBER

2179

MAIL DATE

DELIVERY MODE

07/01/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/718,642	Applicant(s) LEUNG ET AL.	
	Examiner TUYETLIEN T. TRAN	Art Unit 2179	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 March 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-6,8-10,12-14 and 16-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-6,8-10,12-14 and 16-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to the following communication: Amendment filed 03/17/2010.

This action is made non-final.

2. Claims 1-2, 4-6, 8-10, 12-14, 16-21 are pending in the case. Claims 1 and 8 are independent claim.

3. **Applicant is advised that a new examiner has been assigned to this case.**

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. **Claim 1-2, 4-6 are rejected under 35 U.S.C 102(b) as being anticipated by Borgward (WO 01/73673 A2; published on 10/04/01 – note: US 2004/0049743 is used as the English translation; hereinafter Bogward).**

As to claim 1, Bogward teaches:

A portable computing device (e.g., see Fig. 1 and [0009]; a universal digital mobile device) comprising:

a display (e.g., see Figs. 1, 2, 18 and [0156], [0190]; main display part 1010); and

a touch-sensitive display which is secondary and attachable to the display (e.g., see Figs. 1, 2, 18 and [0012], [0163], [0190]; the main operator control part 1020),

wherein said display and said touch-sensitive display present two adjoining display portions of a single display output at a first time (e.g., see Fig. 52D and [0256]; where reading

Art Unit: 2179

material is displayed on both leaves) and only the display but not the touch-sensitive display present the two adjoining display portions of the single display output at a second time (e.g., see Figs. 1b, 7, 52b, 103 (part 7) and [0159]; where reading material is displayed only in the main display part 1010).

As to claim 2, Bogward teaches the touch-sensitive display is rotatably attachable to the display (e.g., see Figs. 7, 103 and [0156], [0190], [0263]; two leaves are connected to each other).

As to claim 4, Bogward teaches said touch-sensitive display displays a user-interface that overlays a portion of said single display output (e.g., see Figs. 103(part 1); keyboard on rear side of book).

As to claim 5, Bogward teaches the user-interface comprises a pointing device (e.g., see Fig. 117a and [0012]; pressure pen).

As to claim 6, Bogward teaches the user-interface is reconfigurable in accordance with an instruction from a software application being executed on the portable computing device (e.g., see Figs. 48, 52b-d, 53 and [0062], [0170], [0205] and [0253-0262]; where interface is reconfigurable depending on settings, configurations, right/hand left hand modes, applications of use).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a

Art Unit: 2179

whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

8. Claims 8-10, 12-14, 16-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bogward in view of O'Leary et al. (US 20030117425 A1; hereinafter O'Leary).

As to claim 8, Bogward teaches:

A method of driving a portable computing device having a display attachable to a touch-sensitive display that is secondary and attachable to the display (e.g., see Fig. 1 and [0009]; a universal digital mobile device), the method comprising:

displaying a first of two adjoining display portions of a single display output in one of said display and said touch-sensitive display (e.g., see Fig. 52D and [0256]; where reading material is displayed on both leaves);

displaying a second of said two adjoining display portions of said single display output in the other of said display and said touch-sensitive display (e.g., see Fig. 52D and [0256]; where reading material is displayed on both leaves);

Art Unit: 2179

wherein said display and said touch sensitive display display said two adjoining display portions as a single display output (e.g., see Fig. 52D and [0256]; where reading material is displayed on both leaves).

While Bogward suggests that the reading material can be books, documents, notes, personal calendar, internet and more (e.g., see Fig. 1A), Bogward does not expressly disclose that the single display output is selected from the group of outputs including a computer drawing, a spreadsheet.

In the same field of ebook display, O'Leary teaches a display device configured to display documents containing computer drawing (e.g., see Fig. 2 and [0002]; printed documents).

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made, to have modified the universal digital mobile device of Bogward to include the printed documents containing computer drawing to achieve the claim limitation. One would be motivated to make such a combination is to allow the user to view any printed material that contained drawings (e.g., see Fig. 2 of O'Leary).

As to claim 9, Bogward teaches the display is rotatably attachable to the touch-sensitive display (e.g., see Figs. 7, 103 and [0156], [0190], [0263]; two leaves are connected to each other).

As to claim 10, Bogward teaches said touch-sensitive display further comprises displaying a user-interface comprising a keyboard (e.g., see Fig. 117b and [0402]; virtual keyboard).

As to claim 12, Bogward teaches reconfiguring the user-interface in response to an application state (e.g., see Figs. 48, 52b-d, 53 and [0062], [0170], [0205] and [0253-0262];

Art Unit: 2179

where interface is reconfigurable depending on settings, configurations, right/hand left hand modes, applications of use).

As to claim 13, Bogward teaches wherein reconfiguring the user- interface comprises reconfiguring the user-interface in response to a user preference (e.g., see Figs. 48, 52b-d, 53 and [0062], [0170], [0205] and [0253-0262]; where interface is reconfigurable depending on settings, configurations, user preference of right/hand left hand modes, state of use).

As to claim 14, Bogward teaches wherein reconfiguring the user- interface comprises reconfiguring the user-interface in response to a user instruction (e.g., see Figs. 48, 52b-d, 53 and [0062], [0170], [0205] and [0253-0262]; where interface is reconfigurable depending on settings, configurations, user preference of right/hand left hand modes, state of use).

As to claim 16, Bogward teaches displaying a hot key that triggers the execution of a plurality of instructions in accordance with a state of the portable computing device (e.g., see Fig. 1A and [0164], [0179]; multifunction keys).

As to claim 17, Bogward teaches displaying an application result (e.g., see Fig. 1A and [0164], [0179]; multifunction keys serves to manipulate information displayed on the main displayed part).

As to claim 18, Bogward teaches displaying an application result comprises displaying a first page of an electronic book on one of the display and the touch-sensitive display (e.g., see Fig. 1A, 52b and [0164], [0256]; "Book" display function).

As to claim 19, Bogward teaches the displaying of the application result further comprises displaying a second page of an electronic book on the other one of the display and

Art Unit: 2179

the touch-sensitive display (e.g., see Fig. 52D and [0256]; where reading material is displayed on both leaves).

8. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bogward in view of O’Leary further in view of Zak et al. (US 20020004729 A1; hereinafter Zak).

As to claim 20, Bogward teaches the rejection of claim 8 for the same reasons as set forth above. Bogward further teaches displaying menu on the touch-sensitive display (e.g., see Figs. 8A-E and [0019]). Bogward and O’Leary do not specifically disclose that those menus were drop-down menus.

However, in an analogous art of menu on the touch screen display, Zak disclosed using drop-down menus on touch-sensitive display screens (e.g., see [0057], [0078]).

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the menu display of Bogward to include the drop down menu display as suggested by Zak to achieve the claim limitation. One would be motivated to make such a combination is to reserve display space since drop down menu use less space than regular menu.

8. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bogward in view of O’Leary further in view of Retter (USPN 5825362; hereinafter Retter).

As to claim 21, Bogward teaches the rejection of claim 10 for the same reasons as set forth above. Bogward and O’Leary do not specifically disclose that displaying a color-coded keyboard.

However, Retter discloses a user-interface with a color-coded keyboard (Column 8, lines 34-53; Figure 7). Accordingly, it would have been obvious to one of ordinary skill in the art at

Art Unit: 2179

the time the invention was made to have modified the virtual keyboard of Bogward and O'Leary to incorporate color-coding keyboard of Retter to achieve the claim limitation since using a color-coded keyboard would allow users to more easily discern keys and makes a keyboard more user-friendly.

Response to Arguments

4. Applicant's arguments filed on 03/17/2010 have been considered and are persuasive; therefore, the previous rejection has been withdrawn and this action is made non-final.

USPP 20040049743 (corresponding to 10/240503) is not qualified as 102(e) based on the fact that the PCT application of Bogward is not published in English. However, Bogward is used in this action as the English translation of the published document WO 01/73673 (corresponding to PCT/EP01/03738). This is true because the application No. 10/240503 is a 371 of PCT/EP01/03738 (see BIB data sheet of the application 10240503 attached herewith). In order to meet the 35 U.S.C. 371(c), a translation into English of the international application is required if it was filed in another language. see 35 U.S.C. 371c (1) c(2) and c(4). Therefore, application 10/240503 is considered as the English translation of the published document WO 01/73673.

Conclusion

The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to consider these references fully when responding to this action.

It is noted that any citation to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the references should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. In re Heck, 699 F.2d 1331,

Art Unit: 2179

1332-33,216 USPQ 1038, 1039 (Fed. Cir. 1983) (quoting In re Lemelson, 397 F.2d 1006,1009, 158 USPQ 275,277 (CCPA 1968)).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TuyetLien (Lien) T. Tran whose telephone number is 571-270-1033. The examiner can normally be reached on Mon-Friday: 7:30 - 5:00, off on alternating Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on 571-272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/TuyetLien T Tran/

Examiner, Art Unit 2179